

**Minnesota Department of Corrections
OFFENDER KITE FORM**

only this one (copy)

Offenders are encouraged to communicate with staff at all levels, but it is expected that the chain of command will be used. Your kite should be directed to the staff who can best answer your question. If you send a kite requiring an answer to the wrong staff, it will be returned to you. Kites are to be used for offender to staff correspondence only. If your kite is not specific, and/or the top portion is not completely filled out, legible, and using your committed name, it will be returned for additional information. If you want your kite reviewed further up the chain of command, you must attach all previous kites to show the previous responses. Offender kite form 303.101A is used for general inquiries. Use kite form B for Health Services, Behavioral Health, and treatment inquiries.

To: AWA CLEMENS Date: 9-30-19

From: MARC BAKAMBIA OID# 24 86 43

Facility/Unit BE Room/Cell 251 Case manager: MS. REBECCA ERICKSON

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

SIR, I received your response on two issues related to my Constitutional Rights that I claimed were violated by LT. G. PETERSON on 5/21/19. What I asked was an explanation because if I had my hearing on 5/21/19 Issue: I could have my life, not my brain injury. I have the right to exercise my First Amendment to the U.S. Constitution: FREEDOM OF SPEECH, when you decide to take away from me too. I am here with this issue, or matter of my FOURTEEN AMENDMENT UNDER EQUAL PROTECTION that was violated by LT. GARY Peterson on 5/21/19, He should have received the attached Kite, a Notice of Violation of My Rights. Therefore, could you please respond to this: I feel like my discipline hearing were not handled parallel to the way it were handled at offender #236466 WICKUND, TYLER hearing, He was jumped over 4X Court yard by 2 or 3 inmates 2 weeks prior to my incident I believe, He hurt badly one of the inmates who had jumped him, He had his hearing the following day, and He was released from Seg. This is the reason why I'm raising this issue of race, different treatment between 2 class of people (Racial Basis) there is also a matter of my custody classification and race or national origin that makes this unequal protection. Could you please explain to me why I was treated differently compared to offender #236466 WICKUND, TYLER situation? Thank you.

Response from: AWA Office Date: 10/10/19

This matter has already been responded to.

RECEIVED

BY MAIL

FEB 16 2021

CLERK

U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA



Received
on 10-16-19

EXHIBIT 8

Return to: Bakambia OID#: 248643 Unit: MCF STW B-E Room/Cell: 251

Distribution upon completion of response: Original to offender; copy to respondent 303.101A (10/2018)

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To: LT. G. PETERSONDate: 9-18-19From: MARC BAKAMBIAOID# 24 86-43Facility/Unit BE Room/Cell 251 Case manager: MS. REBECCA ERICKSON

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

I'm here in the resolution of what had taken place while in your Segregation in Rush City, and with much regard to your respect, I'm here to inform you that, unfortunately, the
Issue: way things were handled for my Hearing process, were not parallel to the way way they
were handled at offender #236466 WICLUND, TYLER Hearing. He was jumped over UN Court yard
by 2 or 3 inmates, 2 weeks prior to my incident I believe, He hurt badly one of the inmates, who
jumped, He had his Hearing the following day, and He was released from Seg.

This course of action Violates my Fourteenth Amendment Under
EQUAL PROTECTION.

There were some reasons that you have or know to treat me Unequally Compare to offender
#236466 WICLUND situation (Rational Basis). There is also a matter of my Custody
classification and my race or national origin that makes this unequal Protection.

Please I know you have offender #236466 WICLUND, TYLER INCIDENT REPORT,
would you go through it and explain this situation. Thank you very much.

Response from: [Signature]Date: 9/24/19

~~Two totally different scenarios and no I will~~

Two totally different scenarios and no I will
not discuss another offenders discipline

received on 10/1-1/19

Return to: BakambiaOID#: 248643Unit: BERoom/Cell: Still under

Distribution upon completion of response: Original to offender; copy to respondent 303.101A (10/2018)

RE 251

~~RE 251~~

~~RE 251~~

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To: LT. G. PETERSON Date: 8/22/19
 From: MARC BAKAMBIA OID# 248643
 Facility/Unit STW/Seg Room/Cell 1103 Case manager: MS. REBECCA ERIKSON
 Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: With my due respect LT. G Peterson, I'm here to notice you that on the day of 5/21/19, you've Violated my Fourteenth Amendment right to due process by depriving me of my Hearing, and allowing tragic event to change my life forever in a dehuman way.

Excuse my expression, otherwise, please is there anything you could tell me why was the unfairness of the process to my rights to due process that caused this Violation?

Or, how all this happened? Your response is utmost needed sir.
Thank you Very much

Response from: L. Peterson Date: 9/6/19

The 5/21/19 Charges were Withdrawn
No need for Hearing

Received on 9/13/19

Still water
B. East

Return to: Bakambia OID#: 248643 Unit: _____ Room/Cell: _____

Distribution upon completion of response: Original to offender; copy to respondent 303.101A (10/2018)

15' C + 21

~~SECRET~~

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To: LT. G. PETERSON DISCIPLINE RUSH CITY Date: 8/16/19

From: MARC BAKAMBIA OID# 248643

Facility/Unit Seg Room/Cell 1103 Case manager: Ms. REBECCA ERICKSON

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

I'm here to inform you that it took me time to learn how you've effectively Violated my Constitutional Rights: Eighth Amendment: Cruel and unusual Punishment. You've delayed my Hearing on 5/21/19 Issue: AM until the assault had taken place. You know how you've played this whole Scenario. You've sent Sgt. NELSON to serve copies of Notice of Violation Report to all party involved in the fight of 5/20/19 CY & E UPPE D-wing. He first started with offender #218832 WUORI, from Cell 201, then proceeded to Cell 207 same tier as me to serve one of the same related Report. Then on 5/22/19, on my Hearing, you've threatened me to take 90 days deal in Segregation in front of your witness LT. KENNETH PETERSON, you've quoted, "If you don't take this deal, next time, I won't go down, it will go higher." At this hearing, I was never served of the copy of the incident Report of 5/21/19. Also, you've never mentioned this incident of 5/21/19 on this Hearing, but you did indeed mentioned both incidents at offender #218832 WUORI's Hearing and He was served of the copy of the incident Report of 5/21/19, also he was given 60 days in Segregation No EI for jumping me twice with his friends (once in seg). My Question is, What Could you do differently in your position to handle this situation without Violating my Constitutional Rights?

Response from: LT. J. [Signature] Date: 9/16/19

5/21/19 charges were withdrawn

Received on 9/12/19
Return to: Bakambia OID#: 248643 Unit: St. 11 Water B. East Room/Cell: _____

Distribution upon completion of response: Original to offender; copy to respondent 303.101A (10/2018)

152251

Received 9-12-19

[Handwritten signature]

[Faint handwritten notes]

[Faint handwritten notes]

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To: DISCIPLINE LT. PETERSON Date: 7-2-19

From: MARC BAKAMBIA OID# 248643

Facility/Unit 1W Room/Cell 128 Case manager: Ms. THERESA

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: As the policy stated that "Staff have 5 working days to respond to kites". Well, I did send several kites to you already over 15 working days and still haven't heard or received anything in return. I will really appreciate to get back all these kites for back, including this one.

There is another situation that's bothering me; I was assaulted, then got jumped by 3 inmates on Monday, May 20th which I self-defended myself and got jumped again by 3 inmates the following day Tuesday, May 21st and one of them was in the previous fight of May 20th as you know well the situation. On my hearing, you've never mentioned to me of the second incident and authoritatively denied my self-defense plea and gave me 90 days to serve in Seg. I learned that offender WUORP, COREY #218832 got 60 days only for jumping me twice and offender Ellerman, Aaron 237537 got 80 day while he violating his term in Seg. My concern is why you've never mentioned of the second incident at all during my hearing? →

Response from: LT Peterson Date: 7/13/19

We don't discuss other offenders penalties but what you are hearing isn't correct

Return to: _____ OID#: _____ Unit: _____ Room/Cell: _____

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I do think, somehow, I deserve to know why, because I am a human and I deserve the right to safety.

I believe that you will be willing to reply to my overall concern.

Thank you Very much Sir, and have a nice day.